

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6780

BILL NUMBER: HB 1447

NOTE PREPARED: Jan 12, 2009

BILL AMENDED:

SUBJECT: Property taxation.

FIRST AUTHOR: Rep. Welch

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
DEDICATED
FEDERAL

IMPACT: Pending

Summary of Legislation: Reconciles differences among the laws enacted in the 2008 session of the general assembly, and does the following: (1) Specifies that a person may apply for the standard deduction on a sales disclosure form. (2) Establishes filing requirements for the property tax standard deduction that are similar to the filing requirements that applied to homestead credit applications. (3) Provides that an applicant for a standard deduction for a homestead may own (or have the other requisite interest in) the homestead on the date that a deduction application is filed, and permits the filing of an application at any time during the assessment year if the homestead is real property, and at any time before March 31 of the immediately following year if the homestead is a mobile home treated as personal property. (4) Merges the text of a definition related to the senior citizen tax limit credit into the credit law. (5) Standardizes the language describing a homestead in the standard deduction law, the circuit breaker credit law, and the senior citizen tax limit law so that it refers to a homestead that is eligible to receive a standard deduction. (6) Codifies a noncode provision that provides that an individual or entity that receives a standard deduction (or received a homestead credit) in a particular year and remains eligible for the standard deduction is not required to refile a statement to apply for the standard deduction. (7) Exempts nonelected school boards from the law requiring taxing units with nonelected governing bodies to have bond issues and leases approved by the fiscal body of a county, city, or town. (8) Defines "registered voter" for purposes of the statute specifying who is eligible to sign a petition requesting a referendum for a controlled project. (9) Allows a civil taxing unit to increase its property tax levy in the first year in which the civil taxing unit participates in a fire protection territory. (10) Removes the expiration date for the county boards of tax adjustment. (11) Legalizes the method used by the department of local government finance to reduce the 2009 maximum permissible ad valorem property tax levy of taxing units that paid benefits to members of the 1925 police pension fund, the 1937 firefighters' pension fund, or the 1953 police pension fund. Repeals a superseded definition. Makes other corrections. (The introduced version of this bill was prepared by the commission on state tax and

financing policy.)

Effective Date: Upon passage; March 1, 2008 (retroactive); July 1, 2008 (retroactive); December 31, 2008 (retroactive); January 1, 2009 (retroactive); July 1, 2009.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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